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JOHN WELLS KING  
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MAY 17 1994

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

May 17, 1994

OUR FILE NO.  
1043-101-65

Mr. William F. Caton  
Acting Secretary  
Federal Communications Commission  
Washington, D.C. 20554

RE: Petition for FM Rule Making  
Odessa and Los Ybanez, Texas

Dear Mr. Caton:

On behalf of Ruben Velasquez, permittee of FM Station KADM, Channel 299C2, Odessa, Texas, I transmit herewith the original and four copies of his Petition for Rule Making and for Order to Show Cause.

Mr. Velasquez proposes to substitute Channel 300C1 for Channel 299C2 at Odessa, and Channel 253C2 for Channel 300C2 at Los Ybanez.

Kindly communicate any questions directly to this office.

Yours very truly,

  
John Wells King

JWK/jb

cc: Mr. Israel Ybanez  
Chief, Allocations Branch, Policy and Rules Division  
(both with enclosure)

No. of Copies rec'd  
List ABCDE

254  
MKB

Before The  
**Federal Communications Commission**  
 Washington, D.C. 20554

RECEIVED

MAY 17 1994

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In The Matter Of	)	
	)	
Petition of	)	RM No.
	)	
RUBEN VELASQUEZ	)	
Permittee of Station KADM	)	
Odessa, Texas	)	
	)	
For Changes in Section 73.202(b),	)	
FM Table of Allotments at	)	
Odessa and Los Ybanez, Texas	)	

TO: The Chief, Policy and Rules Division  
 Mass Media Bureau

## Petition For Rule Making And For Order To Show Cause

Ruben Velasquez, through counsel and pursuant to Section 1.401(d) of the Commission's Rules, hereby petitions the Commission to commence a rule making proceeding looking toward amendment of the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, to make channel substitutions at Odessa and Los Ybanez, Texas, and to issue an appropriate order to show cause. In support of this Petition the following is shown:

### Channel Proposal

Mr. Velasquez is the permittee of unbuilt FM Station KADM at Odessa, Texas. In order to improve service to the station's city of license, the following changes in the FM Table of Allotments are proposed:

Odessa, Texas

<i>Present</i>	<i>Proposed</i>
241C2, 245C1, 250C, 256C, <u>299C2</u>	241C2, 245C1, 250C, 256C, <u>300C1</u>

Los Ybanez, Texas

<i>Present</i>	<i>Proposed</i>
<u>300C2</u>	<u>253C2</u>

The channel substitution and change of station class at Odessa would enable KADM to provide service within its protected 1.0 mV/m contour to 267,297 persons in 16,407.5 square kilometers, an increase of 116,510 persons beyond the presently authorized facilities.

The Odessa channel substitution meets distance separation requirements to all facilities with the exception of Station KYMI, Channel 300C2, Los Ybanez, Texas. It is proposed to substitute Channel 253C2 for Channel 300C2 at Los Ybanez, in order to accommodate the KADM improvements. This substitution can be made at the presently licensed site for KYMI.

### Reimbursement and Commitment

Since the channel substitution at Los Ybanez can be made at the presently licensed KYMI site, no change to KYMI other than channel is anticipated. Mr. Velasquez will reimburse the licensee of KYMI for reasonable expenses associated with making the requested channel substitution at Los Ybanez.

If the Commission authorizes the changes proposed herein, Mr. Velasquez will proceed promptly to file the necessary facilities application, and to construct and to place the facilities into operation expeditiously.

### Need For Improvements

As noted in Mr. Velasquez's application for construction permit, FCC File No. BPH-920213MD, the allocations considerations of Channel 299C2 severely restrict the utility and efficiency of the channel to its community of license. The controlling allocations factor for the channel is Station KYMI, Los Ybanez. The technical exhibit accompanying Mr. Velasquez's application stated:

Less than fifty percent 70 dBu coverage of the City [of] Odessa can be achieved if 130 kilometer spacing to KYMI, Los Ybanez, Texas, is provided. The proposed site was specifically selected to insure maximum possible 70 dBu service to Odessa while providing minimum separation of the respective 54 dBu (50,10) and 60 dBu (50,50) contours.

From the originally proposed site, maximized to serve Odessa yet selected on the basis of contour protection to KYMI, Mr. Velasquez was able to provide 70 dBu coverage to only 74 percent of the community, and to only 64 percent of its population. Mr. Velasquez sought, and was granted, a waiver of the community coverage rule.

The severe restrictions placed upon the Channel 299C2 allotment to Odessa were of sufficient concern to Mr. Velasquez prior to filing his application, that he, through counsel, brought to the attention of the

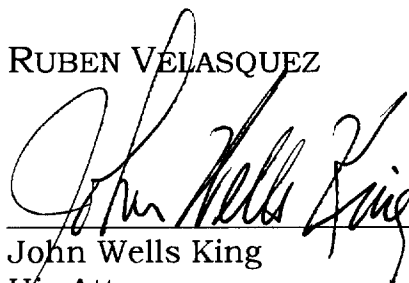
Commission staff the anomalies of the allotment in a letter to the Assistant Chief, Allocations Branch, dated February 3, 1992. A copy of the letter is attached hereto and incorporated herein, to provide the Commission staff with a sense of the unique history of the Odessa allotment.

The proposed channel substitution will cure the service deficiency that is inherent in the Channel 299C2 allotment. It will enable Mr. Velasquez to serve all of Odessa, his community of license. For these reasons, the proposal is thoroughly in the public interest.

WHEREFORE, Ruben Velasquez respectfully requests that the Commission grant this Petition, issue a notice of proposed rule making as proposed herein, and adopt an appropriate order to show cause implementing the proposed changes herein.

Respectfully submitted,

RUBEN VELASQUEZ



John Wells King

His Attorney

HALEY, BADER & POTTS  
Suite 900  
4350 North Fairfax Drive  
Arlington, VA 22203-1633  
703/841-0606  
May 17, 1994

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February 3, 1992

WILLIAM J. POTTS, JR.  
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DAWN M. SCIARRINO (NY)  
LEE W. SHUBERT  
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KATHLEEN VICTORY  
MELODIE A. VIRTUE

LARRY D. SUMMERVILLE  
BROADCAST ANALYST

ANDREW G. HALEY  
(1904-1966)

BY HAND

Mr. Michael C. Ruger  
Assistant Chief, Allocations Branch  
Policy and Rules Division  
Mass Media Bureau  
Federal Communications Commission  
2025 M Street N.W., Room 8337  
Washington, D.C. 20554

Re: Channel 299C2, 107.7 MHz,  
Odessa, Texas

Dear Mr. Ruger:

This letter is written regarding the allocations considerations of the referenced FM allotment, which the Commission adopted in MM Docket 91-231, 6 FCC Rcd 7011 (DA 91-1433, adopted November 13, 1991, released November 29, 1991). A copy of the Report and Order is attached for your reference. I represent a potential applicant for the channel.

Preliminary engineering analyses led my client's consulting engineer to conclude that the allocations considerations of the allotment will preclude effective service to the community of license. I am authorized to share his findings with you.

The origin of the allotment was a petition for rule making to allot Channel 267C2 to Odessa, filed by Oil Patch Broadcasting Partnership. The allotment of Channel 299C2 was proposed by the Commission sua sponte, after analysis revealed that Channel 267C2 would conflict with a pending proposed substitution of Channel 267C1 for Channel 265A at Crane, Texas.

A site restriction of 28.8 km to the south was placed on the allotment in order to avoid a short-spacing to a construction permit for Channel 300C2 at Los Ybane, Texas.

Mr. Michael C. Ruger  
February 3, 1992  
Page 2

The consulting engineering firm of C.P. Crossno and Associates performed an analysis of the Odessa allotment, as site restricted, on the geographic coordinates specified in the Report and Order. Attached for your review is a printout of the analysis. It shows that the 70 dBu contour of a Class C2 station operating on the channel, from the reference coordinates, would extend only 28.4 km toward Odessa. You will note that the printout assumes maximum permissible values for a Class C2 under the Commission's processing standards, 49 kW at 152.9 meters. Thus, the site restriction on Channel 299C2 will prevent a maximum-facility station operating on the channel from serving the community of license with the requisite grade signal.

The printout also reveals the significance of terrain considerations to the allotment. The height above average terrain on the zero-degree radial, toward the city of license, is only 104.5 meters. The HAAT on the 180-degree radial, by contrast, is 194.7 meters, reflecting a pronounced slope from north to south.

Because of the anomalies presented by these allocations considerations, a construction permit applicant will find it virtually impossible to select a transmitter site which will meet the Commission's coverage requirements, and which will require a waiver thereof. These considerations raise questions of the overall efficiency of the allotment, and whether further changes to the Table of Allotments are warranted.

I will be happy to respond to any questions which you may have.

Yours very truly,

John Wells King

JWK/dh  
Enclosures

Before the  
Federal Communications Commission  
Washington, D.C. 20554

MM Docket No. 91-231

In the Matter of

Amendment of Section 73.202(b), RM-7233  
Table of Allotments,  
FM Broadcast Stations.  
(Odessa, Texas)

**REPORT AND ORDER**  
(Proceeding Terminated)

Adopted: November 13, 1991; Released: November 29, 1991

By the Assistant Chief, Allocations Branch:

1. At the request of Oil Patch Broadcasting Partnership ("petitioner"), the Commission has before it the *Notice of Proposed Rule Making*, 6 FCC Rcd 4756 (1991), proposing the allotment of Channel 299C2 to Odessa, Texas. Petitioner filed comments stating its preference for the allotment of Channel 267C2 rather than Channel 299C2 at Odessa, but states it will apply for either channel, if allotted.<sup>1</sup>

2. We believe the public interest would be served by the allotment of Channel 299C2 to Odessa, since it could provide the community with an additional local FM service. Channel 299C2 can be allotted to Odessa in compliance with the Commission's minimum distance separation requirements with a site restriction of 28.8 kilometers (17.9 miles) south to avoid a short-spacing to a construction permit (BPH-890712MK) for Station KYMI(FM), Channel 300C2, Los Ybane, Texas.<sup>2</sup> Furthermore, since Odessa is located within 320 kilometers (199 miles) of the U.S.-Mexican border, concurrence of the Mexican government has been obtained for this allotment.

3. Accordingly, pursuant to the authority contained in Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b) and 0.283 of the Commission's Rules, IT IS ORDERED, That effective January 13, 1992, the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, IS AMENDED, with respect to the community listed below, to read as follows:

City	Channel No.
Odessa, Texas	242C2, 245C1 250C1, 256C1 299C2

4. The window period for filing applications will open on January 14, 1992, and close on February 13, 1992.

5. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED.

6. For further information concerning this proceeding, contact Pamela Blumenthal, Mass Media Bureau, (202) 634-6530.

FEDERAL COMMUNICATIONS COMMISSION

Michael C. Ruger  
Assistant Chief, Allocations Branch  
Policy and Rules Division  
Mass Media Bureau

<sup>1</sup> As stated in the *Notice*, petitioner's proposal to allot Channel 267C2 to Odessa would be in conflict with a petition for rule making proposing the substitution of Channel 267C1 for Channel 265A at Crane, Texas. See *Notice of Proposed Rule Making*, 6 FCC Rcd 4725 (1991). In an effort to resolve the conflict, the

staff determined the availability of an alternate Class C2 for use at Odessa, thereby eliminating any possible conflict with the Crane, Texas, proceeding.

<sup>2</sup> The coordinates for Channel 299C2 at Odessa are North Latitude 31-36-44 and West Longitude 102-28-21.



01-30-1992

FM CONTOUR PROGRAM FM-106B CPO&A-85

107.7 Mhz. Ch. 299

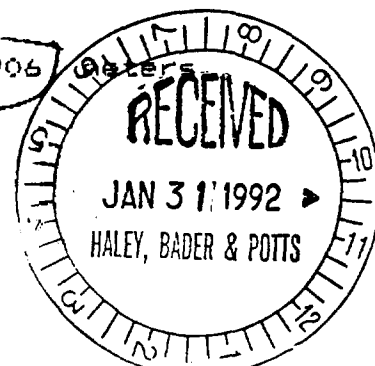
=====  
Radial H.A.A.T H.A.A.T. Dist. to 70 dBu Dist. to 60 dBu  
Deg. Feet Meters Miles Kilometers Miles Kilometers  
=====

0	342.8	104.5	17.6	28.4	28.3	45.6
45	402.1	122.6	18.8	30.2	29.9	48.2
90	474.8	144.7	19.9	32.0	31.9	51.4
135	590.2	179.9	22.1	35.6	34.5	55.5
180	638.7	194.7	22.9	36.9	35.3	56.9
225	602.4	183.6	22.3	35.9	34.7	55.9
270	518.1	157.9	20.8	33.4	33.0	53.0
315	446.4	136.1	19.5	31.3	31.2	50.2

\*  
10 343.3 104.6 17.6 28.4 28.3 45.6  
\*  
5 343.3 104.6 17.6 28.4 28.3 45.6

Height Above Average Terrain = 501.9376 feet  
Effective Radiated Power in kilowatts = 49  
Radiation center MSL 3275.3 ft. 998.3115 m  
Radiation center AGL 525.3 ft. 160.1114 m  
Site elevation is 2750 ft. MSL ( 838.2 m)  
Interpolation method is Log/Lin (0.1/1.9) cpc 6-29-88

152.9906 meters



FAX TO JOHN KING

~~1-202-533~~

(202) 296 8479

C.P. Crossno & Associates  
Dallas, TX

Page 0  
Jan 30, 1992

### 30 Second Terrain Fetch/Average

Title: odessa alloc  
Audit File: ter01302.A01  
Radiation Center AMSL 998.3 meters 3275.3 feet  
Radiation Center HAAT 153.0 meters 502.0 feet

Latitude: 31-36-44  
Longitude: 102-28-21

Bearing (Deg-true)	3.0-16.0 km Average Elevation (meters)	1.9- 9.9 mi. (feet)	Radiation Center Above Radial Average (meter)	(feet)
-----------------------	--	------------------------	---	--------

* 0.0	893.8	2932.5	104.5	342.9
10.0	893.7	2932.0	104.7	343.4
* 45.0	875.8	2873.2	122.6	402.1
* 90.0	853.6	2800.5	144.7	474.8
* 135.0	818.4	2685.1	179.9	590.3
* 180.0	803.6	2636.6	194.7	638.7
* 225.0	814.7	2672.9	183.6	602.4
* 270.0	840.4	2757.2	157.9	518.2
* 315.0	862.2	2828.9	136.1	446.4

Average (8 directions) 845.3 2773.4 153.0 502.0  
\*-Radial Included in Average

# GRAHAM BROCK, INC.

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BROADCAST TECHNICAL CONSULTANTS

**PETITION FOR RULE MAKING**  
**RUBEN VELASQUEZ**  
**KADM RADIO STATION**  
**SUBSTITUTE CH 300C1 FOR CH 299C2**  
**ODESSA, TEXAS**  
**May 1994**

TECHNICAL EXHIBIT

*Copyright 1994*

**PETITION FOR RULE MAKING**  
**RUBEN VELASQUEZ**  
**KADM RADIO STATION**  
**SUBSTITUTE CH 300C1 FOR CH 299C2**  
**ODESSA, TEXAS**  
**May 1994**

**TECHNICAL STATEMENT**

1. This Technical Statement and attached exhibits were prepared on behalf of Ruben Velasquez ("Velasquez"), permittee of Radio Station KADM, Channel 299C2, Odessa, Texas. Velasquez is requesting that the Commission amend §73.202(b) of its rules by substituting Channel 300C1 for Channel 299C2 at Odessa, Texas. Further, Velasquez requests that KADM be ordered to change channel and class. In order to accommodate his request, it is also necessary to substitute Channel 253C2 for Channel 300C2 at Los Ybanez, Texas, as noted below.

**REQUEST**

2. Channel 300C1 can be allotted to Odessa, Texas, without the imposition of a site restriction at the following coordinates: North Latitude 31° 51' 30" and West Longitude 102° 22' 30". From this hypothetical reference site, the 3.16 mV/m contour can be placed over all of Odessa, Texas. Exhibit #1 is a usable area map which depicts the area where Channel 300C1 can be located to provide service to Odessa, Texas. Exhibit #2 is a §73.207 spacing analysis which demonstrates the channel,

at the reference coordinates, meets the Commission's distance separation requirements to all licensed, applied for or proposed facilities (with the exception of KYMI, Channel 300C2, Los Ybanez, Texas. It is proposed to substitute Channel 253C2 for Channel 300C2 in Los Ybanez to accommodate the Velasquez proposal as noted below).

3. Channel 253C2 can be substituted for Channel 300C2 at Los Ybanez, Texas, at the presently licensed site for KYMI. The reference coordinates are North Latitude 32° 43' 22" and West Longitude 102° 01' 50". This reflects a minute site restriction from the city center to accommodate the KYMI transmitter site. No actual site restriction is necessary for the channel. Exhibit #3 is a usable area study which shows where Channel 253C2 can be operated to provide service to Los Ybanez, Texas. Exhibit #4 is a §73.207 spacing study which demonstrates Channel 253C2 meets the minimum distance separation requirements to all licensed, applied for or proposed facilities at the KYMI transmitter site.

4. Velasquez, therefore, requests the following changes to §73.202(b) of the Commission's rules:

**Odessa, Texas**

<b><u>Present</u></b>	<b><u>Proposed</u></b>
241C2, 245C1, 250C, 256C, 299C2	241C2, 245C1, 250C, 256C, 300C1

Los Ybanez, Texas

Present

300C2

Proposed

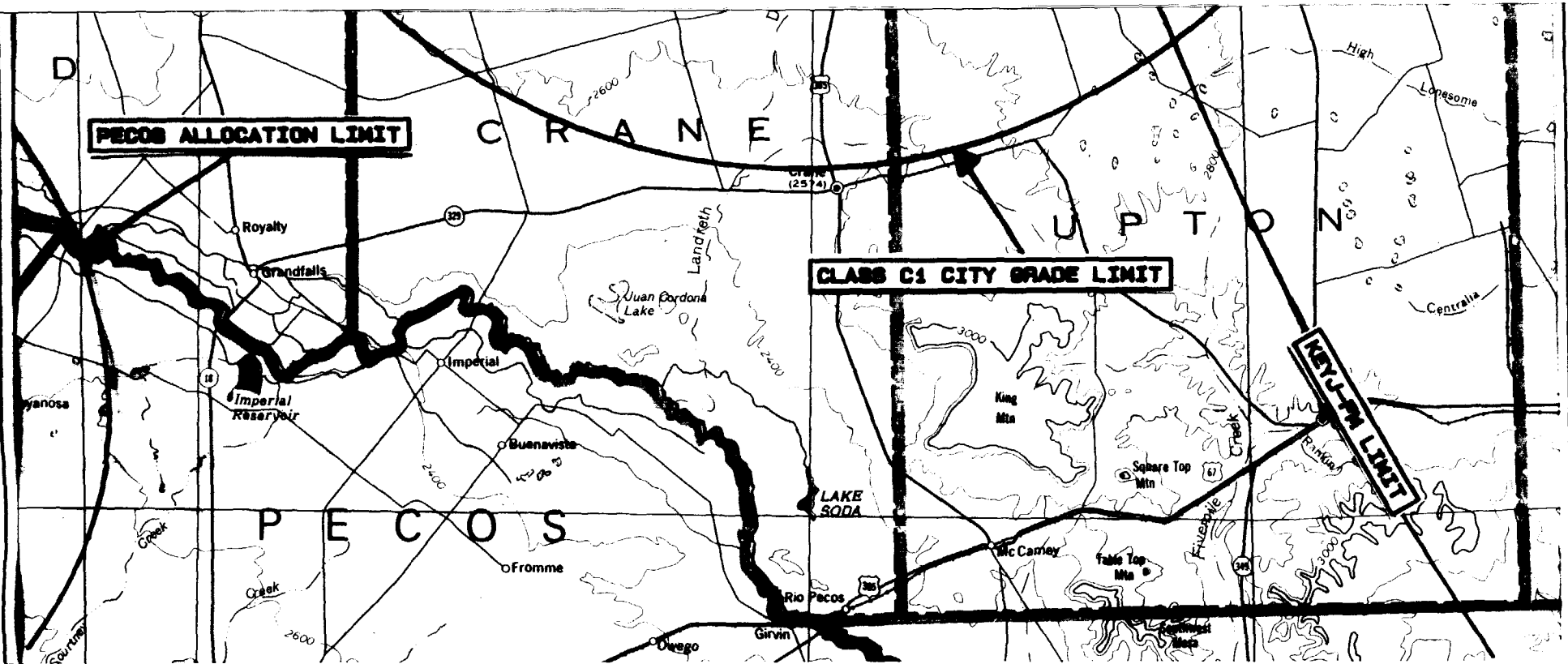
253C2

PUBLIC INTEREST ASPECTS

5. An improved KADM, operating on Channel 300C1, would provide service within its protected 1.0 mV/m contour to 267,297 persons in 16,407.5 square kilometers. This represents an increase of 116,510 persons over the presently authorized C2 facility.<sup>1</sup> Since the change of channels at Los Ybanez is proposed at the licensed KYMI transmitter site, no change to KYMI, other than channel, is expected. Velasquez pledges to reimburse the licensee of KYMI for reasonable expenses associated with making the requested substitution of channels at Los Ybanez.

6. The foregoing technical statement was prepared on behalf of Ruben Velasquez by Graham Brock, Inc., his Technical Consultants. All information contained herein is true and accurate to the best of our belief and knowledge. All data relating to FM broadcast facilities, application or allocation was extracted from the NTIA database as updated in March 1994. We assume no liability for errors or omissions in that database which may be adverse to the requests contained herein.

1) Population data was extracted from the PL 94-171 files, 1900 Census. Population gain is the proposed Class C1 coverage from the reference site less the population in the authorized KADM construction permit.



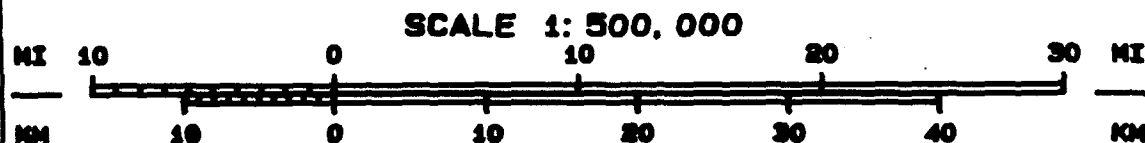
USABLE AREA CHANNEL 300C1

MAP IS A PORTION OF THE 1: 500, 000 SCALE  
U.S.G.S. BASE MAP OF TEXAS.

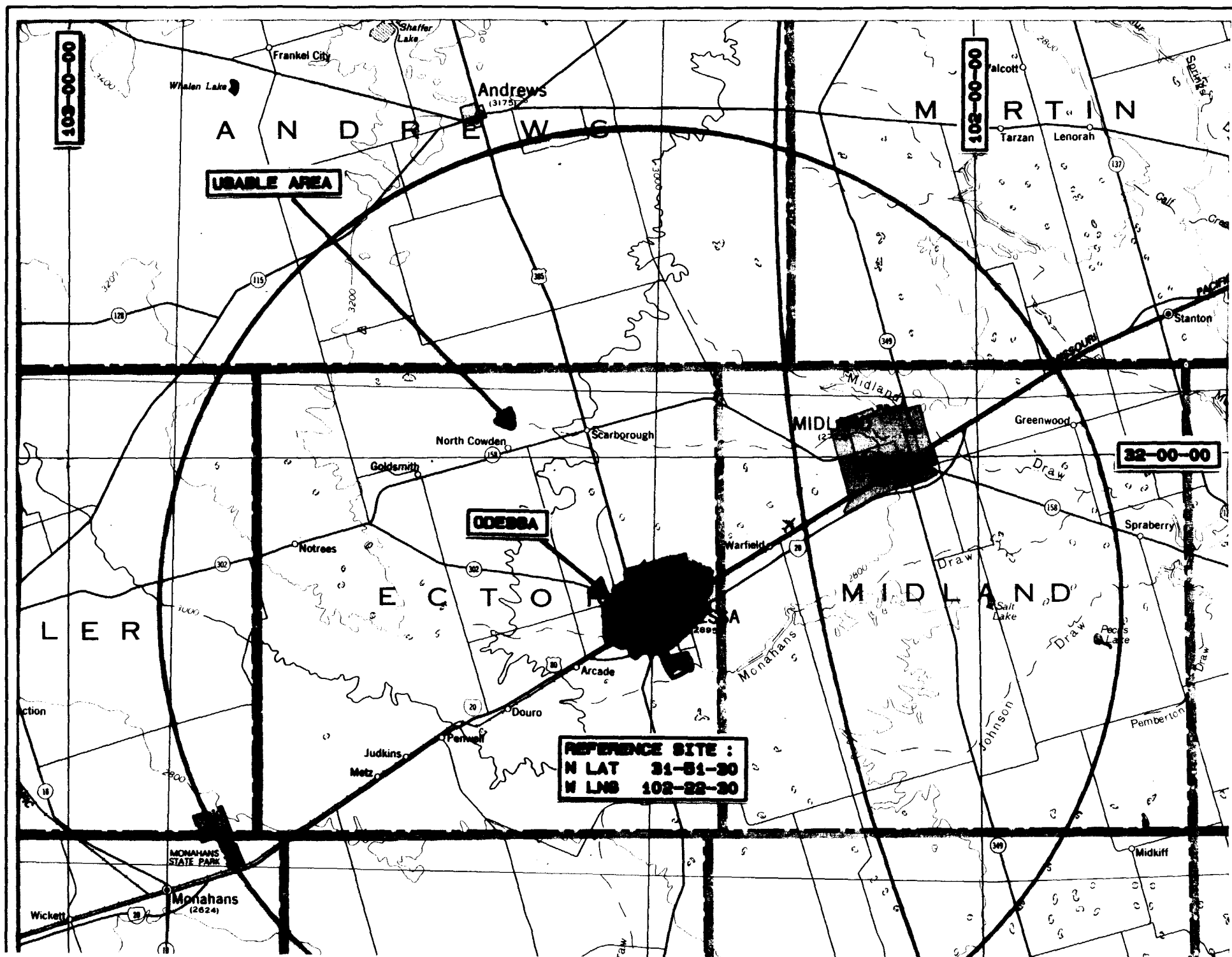
MAP ASSUMES KYMI ON CHANNEL 253C2.

EXHIBIT #1

PETITION FOR RULE MAKING  
RUBEN VELASQUEZ  
KADM RADIO STATION  
SUB CH 300C1 FOR 299C2  
ODESSA, TEXAS  
May 1994



**GRAHAM BROCK, INC.**  
BROADCAST TECHNICAL CONSULTANTS



ALLOCATION STUDY FOR CHANNEL 300C1 ODESSA, TEXAS  
USING ODESSA CITY CENTER/ALLOCATION SITE AS REFERENCE

REFERENCE	CLASS C1	DISPLAY DATES
31 51 30 N		DATA 03-27-94
102 22 30 W	Current rules spacings	SEARCH 05-04-94
----- CHANNEL 300 -107.9 MHz -----		

CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)
KADM.C	299C2	Odessa	TX	181.6	27.42	158.0	-130.58
CP ZCN	31 36 40	102 22 59	49.000 kW	153M	17.0	98.2	
	Ruben Velasquez				BPH-920213MD		
* KYMI	300C2	Los Ybanez	TX	18.7	101.20	224.0	-122.80
LI CN	32 43 22	102 01 50	50.000 kW	140M	62.9	139.2	
	Israel Ybanez				BLH-910115KA		
	> to Channel 253C2						
KEYJFM	300C1	Abilene	TX	79.6	262.18	245.0	17.18
LI CN	32 17 06	99 38 38	100.000 kW	203M	162.9	152.3	
	Dynamic Broadcasting, Company				BLH-840416CD		
ALOPEN	247C	Pecos	TX	234.5	120.18	41.0	79.18
AL N	31 13 45	103 24 20	0.000 kW	OM	74.7	25.5	
	MM Docket 84-231						
	>First Come/First Served Allotment						
KSJTFM	298C1	San Angelo	TX	105.2	177.27	82.0	95.27
LI CN	31 26 19	100 34 18	100.000 kW	184M	110.2	51.0	
	La Unica Broadcasting Company				BLH-851112KJ		
KPOSEM	297C2	Post	TX	30.1	175.15	79.0	96.15
LI CN	33 13 28	101 26 21	50.000 kW	102M	108.9	49.1	
	Boles-American Indian				BLH-900713KC		
KPWX	298C1	Clovis	NM	341.9	272.32	82.0	190.32
LI CN	34 11 34	103 16 44	100.000 kW	165M	169.3	51.0	
	Taber Communications Corp.				BLH-820112AB		

**ALLOCATION STUDY CHANNEL 300C1**

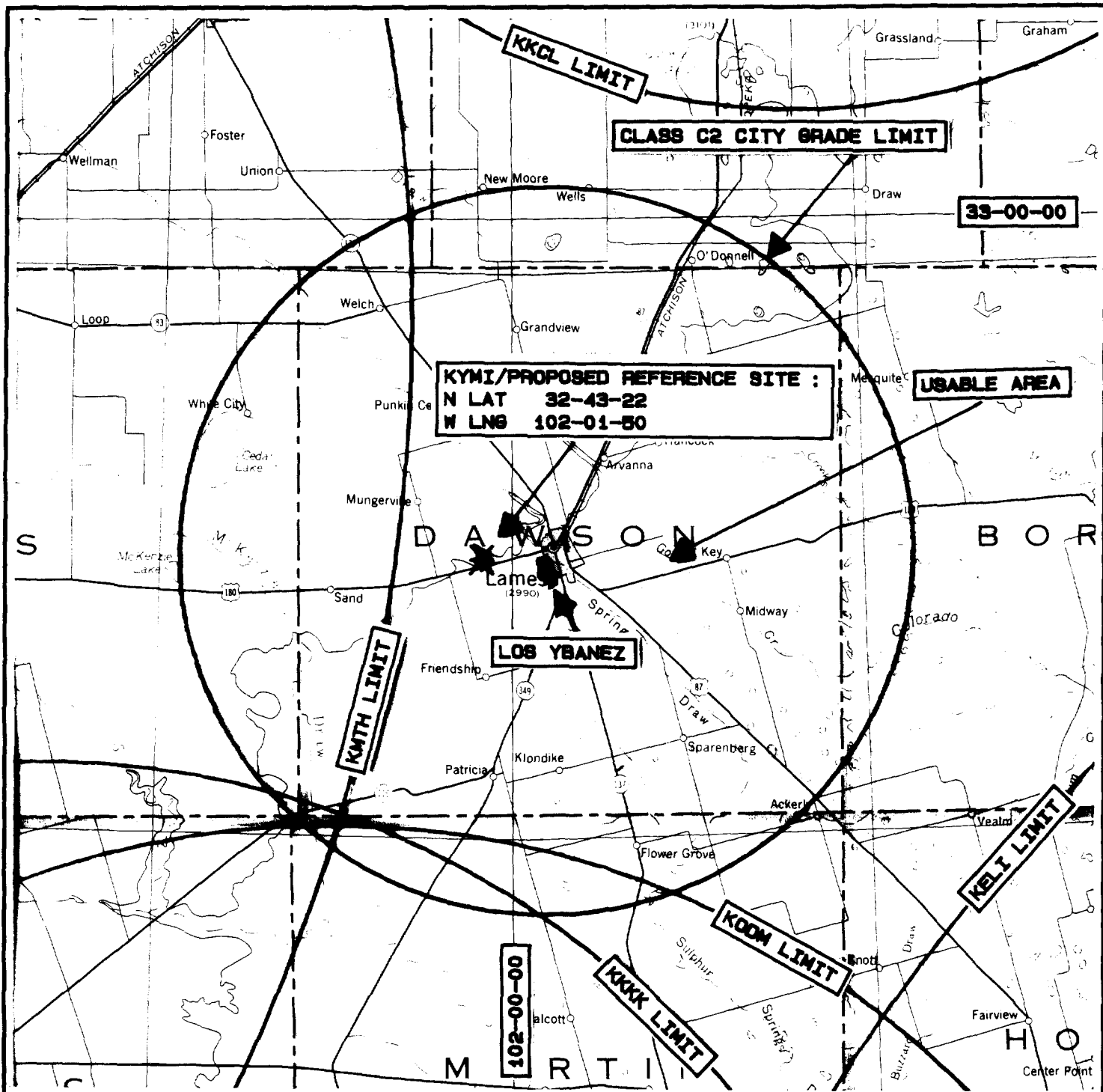
\* NOTE: KYMI IS PROPOSED TO BE MOVED TO CHANNEL 253C2 IN THIS REQUEST, SEE TEXT FOR DETAILS.

**EXHIBIT #2**  
**PETITION FOR RULE MAKING**  
**RUBEN VELASQUEZ**  
**KADM RADIO STATION**  
**SUB CH 300C1 FOR 299C2**  
**ODESSA, TEXAS**  
**May 1994**

**GRAHAM BROCK, INC.**

BROADCAST TECHNICAL CONSULTANTS





**EXHIBIT #3**  
**PETITION FOR RULE MAKING**  
**RUBEN VELASQUEZ**  
**KADM RADIO STATION**  
**SUB CH 300C1 FOR 299C2**  
**ODESSA, TEXAS**  
**May 1994**

**GRAHAM BROCK, INC.**  
**BROADCAST TECHNICAL CONSULTANTS**

ALLOCATION STUDY FOR CHANNEL 253C2 LOS YBANEZ, TEXAS  
USING PRESENT KYMI LICENSED SITE AS REFERENCE

REFERENCE	CLASS C2	DISPLAY DATES
32 43 22 N		DATA 03-27-94
102 01 50 W	Current rules spacings	SEARCH 05-04-94
----- CHANNEL 253 - 98.5 MHz -----		

CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)
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AD253	253C2	Los Ybanez		TX	0.0	0.0	190.0 -190.00
AD	32 43 22	102 01 50	0.000 kW	OM	0.0	118.1	
Substitute Channel for KYMI, Channel 300C2							

KMTH	254C1	Maljamar		NM	277.4	164.77	158.0 6.77
LI CN	32 54 55	103 46 31	100.000 kW	216M	102.4	98.2	
Bd of Regents Eastern N Mexico				BLED-850225LB			
>Reserved for educational use.							

KODM	250C1	Odessa		TX	187.7	103.89	79.0 24.89
LI CN	31 47 40	102 10 44	100.000 kW	110M	64.6	49.1	
D & F Communications, L.P.				BLH-810804AG			

KKKK	256C1	Odessa		TX	202.3	104.97	79.0 25.97
LI CN	31 50 50	102 27 15	100.000 kW	125M	65.2	49.1	
Tower Power Corporation				BLH-7739			

KKCL	251C2	Lorenzo		TX	16.0	102.22	58.0 44.22
LI CN	33 36 32	101 43 45	50.000 kW	133M	63.5	36.0	
American General Media of Texas				BLH-880520KC			

KELI	254C	San Angelo		TX	128.7	240.23	188.0 52.23
LI CY	31 22 01	100 02 48	100.000 kW	393M	149.3	116.8	
Earshot Broadcasting, Inc.				BLH-861216KA			

ALLOCATION STUDY CHANNEL 253C2

EXHIBIT #4  
PETITION FOR RULE MAKING  
RUBEN VELASQUEZ  
KADM RADIO STATION  
SUB CH 300C1 FOR 299C2  
ODESSA, TEXAS  
May 1994

**GRAHAM BROCK, INC.**

BROADCAST TECHNICAL CONSULTANTS

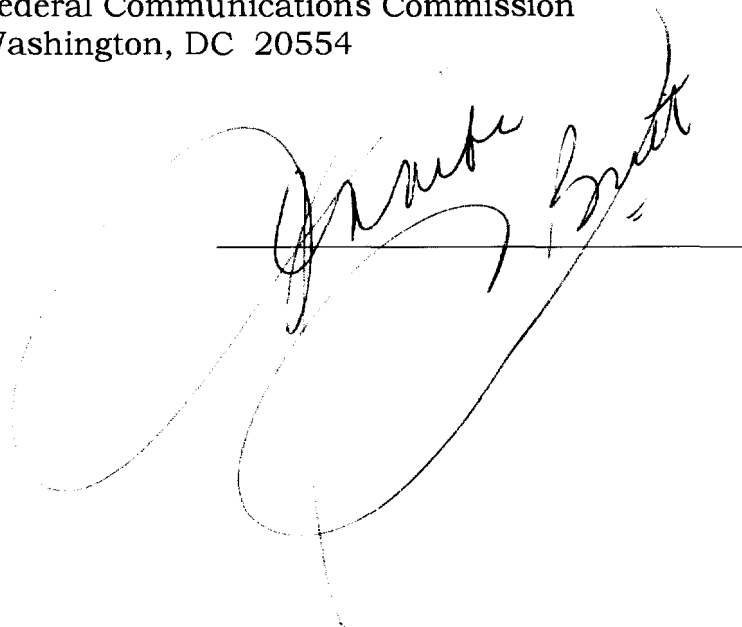
## CERTIFICATE OF SERVICE

The undersigned, an employee of Haley, Bader & Potts, hereby certifies that the foregoing document was mailed this date by First Class U.S. Mail, postage prepaid, or was hand-delivered\*, to the following:

Mr. Israel Ybanez  
Radio Station KYMI  
No. 15  
Los Ybanez, TX 79331

Chief, Allocations Branch  
Policy and Rules Division  
Mass Media Bureau  
Federal Communications Commission  
Washington, DC 20554

May 17, 1994



**AFFIDAVIT AND QUALIFICATIONS OF CONSULTANT**

*State of Georgia )*  
*St. Simons Island )ss:*  
*County of Glynn )*

**JEFFERSON G. BROCK**, being duly sworn, deposes and says that he is an officer of Graham Brock, Inc. Graham Brock has been engaged by Ruben Velasquez , permittee of Radio Station KADM, to prepare the attached Technical Exhibit.


His qualifications are a matter of record before the Federal Communications Commission. He has been active in Broadcast Engineering since 1979.

The attached report was either prepared by him or under his direction and all material and exhibits attached hereto are believed to be true and correct.

*This the 5th day of May, 1994*

  
\_\_\_\_\_  
**Jefferson G. Brock**  
*Affiant*

*Sworn to and subscribed before me*  
*this the 5th day of May, 1994*

  
\_\_\_\_\_  
*Notary Public, State of Georgia*  
*My Commission Expires: September 8, 1995*